



Instructions for Completing the Coastal Consistency Review Form

Use these instructions to complete the Coastal Consistency Review Form DEP-APP-004. These instructions are not a substitute for the requirements of the relevant statutes and any regulations thereunder. You should review all applicable laws prior to completing this application. Remember, it is your responsibility to comply with all applicable laws.

Introduction

The *Coastal Consistency Review Form* (DEP-APP-004) is designed to help applicants for licenses or permits issued by the Department of Environmental Protection (DEP) to properly assess proposed activities for consistency with all applicable policies and standards in Connecticut's Coastal Management Act (CCMA), codified in Sections 22a-90 through 22a-112 of the Connecticut General Statutes (CGS), as amended, and where necessary, to modify such activities to render them fully consistent.

Which Activities Require Coastal Consistency Review and Approval?

The *Coastal Consistency Review Form* must be completed and attached to DEP permit applications for new activities or to expand existing activities within the *coastal boundary*.

Any DEP permit applications for activities located outside the coastal boundary, but within a town in the *coastal area*, may be required to include a completed *Coastal Consistency Review Form* upon determination by DEP that such activities may generate potential adverse impacts to on-site or downstream resources.

Applicants for structures, dredging, filling, tidal wetlands and/or marine mining permits from the DEP Office of Long Island Sound Programs (OLISP) need not submit this form since the consistency evaluation integrated into those applications.

Please note that activities requiring more than one DEP permit require a coastal consistency review form for *each* permit. For example, a new water discharge structure waterward of the high tide line in tidal, coastal and navigable waters with an associated new discharge would require both (1) a

discharge permit application with the coastal consistency review form completed and attached, and (2) a coastal structures permit application with an integrated coastal consistency evaluation. The coastal management policies and standards applicable to the *discharge* are likely, in most cases, to differ from those applicable to the placement of the required *pipe structure* in tidal, coastal or navigable waters or tidal wetlands.

For assistance in completing the form, or if you have questions on the process, call OLISP at 860-424-3034.

Coastal Area and Boundary

The *coastal area*, as defined in CGS Section 22a-94 (a), includes the land and water within the following towns:

Branford	Guilford	Old Saybrook
Bridgeport	Hamden	Orange
Chester	Ledyard	Preston
Clinton	Lyme	Shelton
Darien	Madison	Stamford
Deep River	Milford	Stonington (Borough and Town of)
East Haven	Montville	Stratford
East Lyme	New London	Waterford
Essex	New Haven	West Haven
Fairfield	North Haven	Westbrook
Greenwich	Norwalk	Westport
Groton (City and Town of)	Norwich	
	Old Lyme	

The *coastal boundary*, as defined in CGS Section 22a-94(b), is a designated region within the coastal area. It is delineated on DEP-approved coastal boundary maps, which are available for review at OLISP, the DEP File Room, and municipal offices of towns located in the coastal area. Copies of these maps may also be purchased from DEP Maps and Publications. OLISP 860-424-3034, DEP Maps and Publications 860-424-3555 and the DEP File Room 860-424-4180 are all located at 79 Elm Street, Hartford, CT. Please call the appropriate office in advance for hours of operation.

Coastal Consistency Review Form Instructions (DEP-APP-004)

In order to assess an activity's consistency with the CCMA, you must read and understand the policies and standards that apply. These policies and standards are contained in, or referenced by, CGS Sections 22a-92 and 22a-93.

This form has been designed so that it may be completed using the "Reference Guide To Coastal Policies And Definitions." This document excerpts and indexes the CCMA's policies and standards in a manner which should facilitate the coastal consistency application process. Copies of the guide are available from OLISP.

Part I: Project Information

For the purposes of these instructions, site or project site refers to the property at which the proposed regulated activity is to be conducted.

1. **Name and Phone Number of Applicant:** It is important that you fill in the name and phone number of the applicant exactly as they appear on the *Permit Application Transmittal Form* (DEP-APP-001) which accompanies the application(s) for the activities proposed to be conducted.
2. **Name of Preparer:** Provide the name and title(s) (if applicable) of the person(s) completing this form.
3. **Street Address or Description of Location of the Project Site:** Clearly identify the project site by address or if more appropriate, a description of its location. Be sure to indicate the city or town in the space provided.
4. **Brief Description of the Proposed Project:** Provide a brief description of the proposed project, which is the subject of the permit application(s). For example, "Construction of a steam-generated power plant." If you provided a project description on the *Permit Application Transmittal Form*, re-state that description.
5. **Will the proposed project be located within the coastal boundary as defined in CGS Section 22a-94(b)?** Refer to DEP approved coastal boundary maps. See the Coastal Area

and Boundary section on page 1 of these instructions for availability.

If the proposed activity is within the *coastal boundary*, complete this entire form.

If the proposed activity is within the *coastal area* but outside the *coastal boundary*, you need only to complete Parts I, VI VII and VIII.

Part II: Identification of Applicable Coastal Uses and Activity Policies and Standards

Part II of this form provides a list of all statutory goals and policies for land and water *uses* and other activities in the coastal boundary which are established in, or referenced by, Section 22a-92 of the CCMA. Using the "Reference Guide to Coastal Policies and Definitions", carefully identify all policies applicable to the proposed activity by placing a check mark in the appropriate spaces. Please note that the "General Development" policies apply to *all* activities/work in the coastal boundary and therefore must be addressed by all applicants completing this form.

Part III: Consistency With Applicable Coastal Uses and Activity Policies And Standards

After the identification of applicable coastal activity goals and policies, explain how the proposed activity is consistent with such goals and policies and describe any mitigation proposed to offset adverse impacts. Again, because all activities invoke the "General Development" policies, consistency *must* be addressed in every case. When additional space is necessary to answer a question stated in the form, please insert additional sheets by the appropriate question. Label each sheet with the applicant's name, along with the corresponding part number and question number indicated on the form.

Part IV: Identification of Applicable Coastal Resources and Coastal Resource Policies

After a careful, field-verified determination of on-site and adjacent coastal resources, the identified coastal resources and their associated coastal management policies must be checked off in the appropriate space(s) in Part IV. Note that there is a space provided for the identification of resources, which are off-site, but "within the influence of the

project." This is particularly applicable to "downstream" resources; for example, those which could be affected by project drainage, sedimentation, and/or erosion.

Please note that "General Resources" policies apply to all activities/work and accordingly, are pre-checked on the application form.

Additionally, "Shorelands" are statutorily defined as, "...those land areas within the coastal boundary exclusive of coastal hazard areas..." and thus must be identified for *any* site which is not *entirely* within the coastal hazard area or some other resource category.

Coastal Resource Maps are useful for general guidance and are available for review at OLISP, the DEP File Room, and municipal offices of towns located in the coastal area. Copies of these maps may also be purchased from DEP Maps and Publications. Reference to these maps, however, may not be substituted for field verification by the form preparer, or by surveys conducted by qualified personnel where warranted by the presence of specific resources.

Part V: Consistency with Applicable Coastal Resource Goals and Policies

After identifying applicable coastal resources and coastal resource goals and policies in Part IV, explain how the proposed activity is consistent with such coastal resource goals and policies, and describe any mitigation measures proposed to offset adverse impacts. For example, if "Tidal Wetlands" are identified on-site, wetland protection measures including setbacks, buffer areas, conservation easements and other protective measures should be described in this part, since the applicable policies require their strict protection. If off-site tidal wetlands could be affected by on-site road construction, sediment and erosion control measures should be detailed. When additional space is necessary to answer a question stated in the form, please insert additional sheets by the appropriate question. Label each sheet with the applicant's name, along with the corresponding part number and question number indicated on the form.

Part VI: Identification of Potential Adverse Impacts

This part requires the identification of applicable potential adverse impacts to (1) coastal resources and (2) water-dependent uses. To assist you, each statutorily defined adverse impact category is listed with its statutory citation. Refer to the definitions of adverse impacts in Section 22a-93(15) and 22a-93(17) of the CCMA or the "Reference Guide to Coastal Policies and Definitions" before completing this part. Because this part requires identification of *potential* adverse impacts, checking the applicable category does not establish a presumption or conclusion that an adverse impact *will* result, only that the category applies and that either the project location, activity or both create the potential for adverse impacts. Please note that potential water-dependent use impacts apply at all sites, which about *marine or tidal waters*, including tidal wetlands.

Part VII: Consistency with Adverse Impact Policies

Explain how all potential adverse impacts identified in Part VI, as applicable, have been avoided, eliminated or mitigated. For example, potential water-quality impacts might be minimized through stormwater pre-treatment practices such as preservation of permeable surfaces that reduce runoff prior to discharge off-site. Impacts to water-dependent uses would be avoided by replacing an existing water-dependent use with a new use, which is also water-dependent and appropriate to the subject property. When additional space is necessary to answer a question stated in the form, please insert additional sheets by the appropriate question. Label each sheet with the applicant's name, along with the corresponding part number and question number indicated on the form.

Part VIII: Remaining Adverse Impacts

To complete the final part of this form, identify any adverse impacts, which remain after incorporating all measures to eliminate or minimize such adverse impacts, and explain why no feasible or prudent alternatives exist that would further avoid or reduce such impacts. When additional space is necessary to answer a question stated in the form, please insert additional sheets by the appropriate question. Label each sheet with the applicant's name, along with the corresponding part number and question number indicated on the form.